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Conservation Comm Minutes 11-16-2000

MINUTES, NOV. 16

Mr. Sullivan called the meeting to order at 7:30pm in the main hall of the Town Hall.

Present were Corinna Beckwith, Geraldine Tremblay, Judith Hodges, Timothy Sullivan, John Roche and David White of the Commission. Max Johnson, Gayle Kiely, Thomas Falwell (legal counsel) and Richard Kirby of LEC Environmental Consultants for 4 and 8 Mystic Bank. Steve and Gerry Ricci and Walter Basnight for 10-12 Devereaux St. David Albrecht of Rizzo Associates, representing the developers of the Mugar parcel and Ingeborg Hegemann of BSC Group, representing the Conservation Commission in its review of the information regarding the Mugar parcel.

Other attendees included:

Elsie Fiore, 58 Mott Street
 Diane Mahon, 23 Howard St.
 Cindy Arens, 42 Draper Ave.
 Judith Deemys, 52 Fairview Ave
 Mary Trvalik, 45 Fairview Ave
 Theresa Stremlau, 12 Mystic Bank
 Theodore Braveniu, 12 Mystic Bank
 Gary Gryan, 47 Burch St.
 Stroker Rogovin, 7 Lakehill Ave.
 Malin Bengtsson, 19 Cleveland St.
 Madelon Hope, 12 Pelham Terrace
 Marjorie Noone, 46 Dorothy Road
 Stephen Conlon, 13 Edith St.

Ms. Tremblay had an announcement of urgent nature. The Meadowbrook project is proceeding with the excavation, November 27, 28 and 29th. Planting of 2500 shrubs is scheduled for December 9 and 10, 9-4 pm. Volunteers are needed. Planting areas will color coded with stakes. Plants will be bundled. Water levels will be manipulated for the work. The area will be surrounded by erosion controls to contain the mud. There will also be a spring planting of herbaceous species.

7:30pm – 4 MYSTIC BANK, REMODELING AND LANDSCAPING, REQUEST FOR DETERMINATION OF APPLICABILITY

The first order of business was to introduce members of the Commission. Mr. Sullivan was acting Chair.

The project was presented by Mr. Johnson. The project consists of a master bedroom addition and deck on the second floor of the existing house. The work is within 100 feet of the Mystic Lake. Two trees will be removed (a pine and a spruce) and the large oak will be pruned. The spruce tree needs to be removed since it is being shaded by the oak and the tree blocks the view. The pine also blocks the view. The removed trees can be replaced in different locations within the Buffer Zone with any species that the Commission requests.

Ms. Tremblay expressed her opinion that Native non-invasive species should be used. She suggested pink flowering dogwood (Florida) and juniper or arborvitae.

Ms. Tremblay made a motion to accept the project even though the work is within the Buffer Zone, the work will not effect the functions and values of the Mystic Lake/Mr. Sullivan seconded. The vote to approve was unanimous.

7:45pm-8 MYSTIC BANK, NEW HOUSE CONSTRUCTION AND LANDSCAPING, NOTICE OF INTENT

Mr. Kirby presented the project. He presented photos of the site. Ms. Beckwith and Mr. White also conducted separate site visits. A new house is proposed to be built partially within the Buffer Zone and two new concrete block retaining walls will be installed on the slope down to the Mystic Lake. The new walls will have crushed stone placed below (12 inches deep) and behind for footing and drainage. Water also seeps between the blocks. One existing wood retaining wall will remain and another will be removed. The proposed landscaping plan will involve retention of the large maple on the site and no other trees will be removed. Lawn will be placed on the terraces created above each wall with creeping juniper planted on the walls. The runoff from the house will be directed towards the new terraces where the water will infiltrate into the lawn areas which will be graded as gentle swales.

The Commission made a request that the landscaping include some Native non-invasive species. The Commission reminded the applicant that a standard condition exists to heavily limit the use of fertilizers or pesticides within the Buffer Zone, aside from an initial fertilization during planting.

Mr. Johnson suggested planting 10 blueberries on the lowest terrace near the Lake. The Commission would approve of such work.

Ms. Beckwith asked if the applicant knew who owns the strip of land next to the Lake. Mr. Falwell stated that he never saw any title owner in his research. It is his belief that the area was created by the Town when the sewer line was installed. He also believes that the property is owned by the Commonwealth.

A few audience members asked questions regarding the proposed work and the limit of jurisdiction for this Commission.

Ms. Tremblay made a motion to accept the project as proposed with a condition to include a suggested planting list and our standard condition regarding pesticide and fertilizer use, Mr. White seconded the motion. The Commission unanimously approved the motion.

8:15pm - 10-12 DEVEREAUX STREET, CONSTRUCTION STAGING, LANDSCAPING AND UTILITY CONSTRUCTION, NOTICE OF INTENT

Mr. and Mrs. Ricci presented the project. The applicants have been before the Commission for a working session. The new house will be completely out of the Buffer Zone. A construction work area and work to connection to the utilities down by Spy Pond. A large linden tree will need protection during the construction, but all other vegetation (primarily lawn) will be removed and the area will then be replanted.

Mr. Basnight thought that no dewatering would be needed since the sewer pipe is relatively shallow. The Commission will insert the standard dewatering condition that states all sediments need to be settled out prior to release.

Ms. Tremblay suggested the use of some winter rye on the trench area after the work is done. The trench work should take only a few days. Mr. Sullivan suggested a stockpile location for the dirt excavated from the trench. The soil should not be left uncovered over night.

Ms. Tremblay explained that the Commission cannot close the hearing until receipt of the DEP file number therefore the hearing was continued to December 7.

8:30pm- MUGAR PARCEL, RT. 2,

Mr. Albrecht presented a plan sheet of the resource area delineations. The new areas (small additional wetlands) were included on this plan. The floodplain elevation of 8.0 feet (NGVD) is shown on the plan. The engineers at Rizzo felt that the FEMA study was correct.

Mr. Albrecht discussed the 1996 storm and the subsequent high water mark survey conducted by the Army Corps of Engineers. This storm was in excess of a 100 year. He showed a picture taken by Jennifer Griffith at Edith and Margaret Streets. While the timing of the storm in relation to the time the picture was taken is unknown, his conclusion is that the flooding shown is not as high as the 100 year flood plain, 8.0 elevation. The 8 foot elevation is another 1.5 feet higher and the water would be half way up the white picket fence.

Rizzo asserts that the flooding to the Mugar property is entering from the Thorndike field side from the Alewife

downstream of Rt 2. While the next cross section in the FEMA study would require the water to come in from the Little River through the equalizer pipes.

Ms. Mahon asked what NGVD is? Mr. Albrecht answered that it is the National Geodetic Vertical Datum.

Mr. Sullivan read comments submitted by Mr. Stevens in writing. 1)the flood elevations for the 1996 and 1998 storms are not given in the Flood Report, if they are known please provide them. 2)Two different (but close) numbers are given for the 100 year elevation, 8.0 and 8.28. Mr. Stevens asked Rizzo to err on the side of caution and use the higher of the two numbers. 3)Six test pits were dug to establish the high groundwater elevation in the summer. Was this a good season to look for groundwater? 4) What is the flood profile in Appendix D meant to depict?

Mr. Albrecht answered that the 1996 storm on the ADL site above 8.0 and below 8.5. Mr. Albrecht explained that there is one 18" pipe and two 24" diameter equalizer pipes from the Mugar parcel. Mr. Albrecht is not aware of any equalizer pipes between Thorndike field and the Alewife Brook.

Mr. Albrecht responded that the June 1998 storm was not studied in as much detail and so there is only limited information available on it.

Mr. Albrecht responded that the test pits were dug to look at the soil profiles which show evidence of the groundwater elevation when they are undisturbed soils. Only one test pit had undisturbed soils.

The figure in Appendix D shows the 1996 storm high water marks.

Ms. Hegemann presented her findings. Ms. Hegemann gave us a letter concluding her review of the wetland lines. The calculations were done slightly differently but they amounted to the same findings. Two letters regarding the flood information were received from the engineer at BSC. The initial review concluded that the 100 year elevation should be 8.2. However including further topographic data of the area downstream of Rt. 2 might be important to discern the route of flooding. The equalizer pipe invert elevations need to be forwarded to BSC.

Mr. Albrecht stated that the inverts are at elevation 6 or below. Mr. Albrecht remarked on the 1981 CDM comprehensive hydrologic study.

Ms. Tremblay asked about the condition of the pipes. Mr. Albrecht didn't know if they are filled, crushed, or in good working order. Ms. Hegemann observed some filling of the pipes.

Ms. Beckwith asked whether anyone present knew if a Map Change is underway with FEMA. Mr. Albrecht didn't think this was currently being done. Ms. Beckwith reported she has a note in to the Planning board regarding this point.

Ms. Beckwith stated that she is in receipt of the neighborhood surveys and a copy was given to Ms. Hegemann with instructions to forward a copy to Rizzo. Ms. Fiore gave the Commission the hand drawn map, red showing the street flooding and blue showing the basement flooding.

Ms. Mahon spoke to the photo on the corner of Edith Street. She acknowledges that the photo was taken 18-30 hours after the fire department was called in to pump out basements (presumably the peak of the storm on 1-3pm on October 20th).

Elsie Fiore submitted to the Commission the storm drain, sewer and water distribution in the neighborhood next to the Mugar parcel.

Ms. Fiore asked if there are underground streams on the Mugar parcel. There are/were old drainage ditches.

Ms. Fiore recounted the dredging of Spy Pond. The material was spread all over the Mugar parcel. It was very unstable (soupy). A young man got stuck in it (up to his armpits) and had to be pulled out before the Mugar's put up and fence around it. Eventually is dried out. Kids would play on it and get stuck. They tried to remove the material. They moved it to Poets Corner and tried to build a tennis court on it that buckled. Some of the material is still left on the Mugar site.

The engineers from Rizzo and BSC will meet and share information. The Commission made a motion to continue the hearing to December 21st at 8:30pm.

MISCELLANEOUS

Ms. Tremblay made a motion to approved the minutes for 9/21, 10/5, 10/19 and 11/2/00 approved with small revisions, Mr. Sullivan seconded. The vote to approve was unanimous.

Mr. White made a motion to pay Ms. Beckwith's invoice for the month of October, Ms. Tremblay seconded. The vote to approve was unanimous.

Mr. Roche still needs to be sworn in by the Town Clerk.

Ms. Beckwith asked for help in working on Enforcements since there is a backlog of these before the Commission.

The Budget is currently \$10,000. Ms. Beckwith's salary constitutes \$9750 of this, at \$15 an hour. Fees and fines make up the rest of our income, small amounts at unpredictable times. Mr. Sullivan is collecting evidence regarding salaries in other towns. Ms. Beckwith will compile her tasks list and the scope of work to get this work done. The Budget meeting will be in December. Ms. Beckwith will draft a response.

The new Bylaw is approved, effective November 6, 1999. Mr. Stevens is currently drafting our regulations.

The Reservoir is still being reviewed for recommendations for dam safety. The proposal still involves lowering the water level and removing vegetation from the berm. The swim area will possibly need to be lined. The vegetation in/on the waterbody will possibly be altered with this work. Ms. Beckwith brought up the related topic that the Capital Budget request for vegetation management on the Reservoir has been submitted and approved. One year's worth of monies was removed since there were still unspent funds from previous years.

The Open Space plan is currently being revised. It is a large task that documents the actions from the past 5 years that protected, promoted, improved open space in town. Ms. Beckwith will forward the plan to Ann Harrer and Susan Brent.

The Friends of Alewife Reservation issued their shoreline survey. It covers the Reservation from Little Pond to the confluence with the Mystic River. Mr. White would like an electronic copy of the executive summary. Ms. Beckwith issued the hearing schedule for next year. Mr. White and Mr. Sullivan still need a copy.

Mr. Roche needs the submission materials regarding the Mt. Pleasant Cemetery project. Ms. Beckwith drew up a sketch of design changes that might be acceptable to the Commission. She distributed it to the rest of the Commission and Mr. Bento, Director of Public Works. Mr. Sullivan expressed hesitation to approve the sketched proposal since it involved removal of some existing vegetation and locating the stormwater outlet closer to the existing wetland

At the November 4 site visit to Mt. Pleasant Cemetery, the Commission looked at the vegetated upland where the stormwater outlet is proposed. The soils looked highly disturbed even though trees were present, most are less than a few inches in diameter (poplars) with one 5 inch locust. The understory has a lot of Japanese knotweed and a mix of other vegetation. The Buffer Zone hear Mill Brook is currently all bare subsoil, which is still within the currently active work and stockpile area. There was a BFI dumpster on the site.

The Commission voted to convene at approximately 11pm.

Respectfully submitted,
Cori Beckwith, Member and acting-Administrator